

UNITED STATES DISTRICT COURT
for the
District of New Mexico



United States of America
v.
JERRY BEZIE, aka: "GIZMO"

Case No. 23-MJ-530

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 23, 2023 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

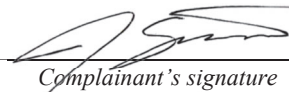
18 U.S.C. §§ 922(g)(1) and 924,
18 U.S.C. § 924(c)(1)(A)(i),
21 U.S.C. §§ 841(a)(1) & (b)(1)(A),
21 U.S.C. §§ 841(a)(1) and (b)(1)(A)

Possession of a firearm and ammunition by a convicted felon;
Possession of a firearm in furtherance of a drug trafficking crime;
Possession with intent to distribute ("PWID") 400 grams and more of mixture
and substance containing fentanyl (N-phenyl-N-[1-
(2-phenylethyl)-4-piperidinyl] propanamide);
PWID 500 grams and more of a mixture and substance containing
methamphetamine

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Jordan Spaeth, FBI Special Agent

Printed name and title

Subscribed electronically and sworn to telephonically.

Date: 3/24/2023


Judge's signature

City and state: Albuquerque, New Mexico

Karen B. Molzen, US Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

I, Jordan Spaeth, being first duly sworn, hereby depose and state as follows:

Introduction and Background of the Affiant

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been a sworn law enforcement officer for 14 years, serving as a police officer and FBI Special Agent. I have been with the FBI since 2018 and am currently assigned to the FBI Albuquerque Field Office, to the Violent Gang Task Force (“VGTF”). As a member of the VGTF my primary responsibility is to investigate criminal enterprises involving violent repeat offenders and gang members who participate in violations of the Controlled Substances Act, firearms violations, murder, racketeering and other violations of federal law. Prior to my current assignment I was assigned to the Violent Crime Task Force and also worked violent felony crimes which were committed on the multiple Indian Reservations/Pueblos surrounding Albuquerque, New Mexico.

2. My investigative training and experience includes, but is not limited to, interviewing subjects, targets, and witnesses, writing affidavits for, and executing search and arrest warrants, collecting evidence, conducting surveillance, and analyzing public records. Over the course of my career, I have arrested hundreds of persons for offenses relating to armed robberies, firearm violations, bank robberies, illegal narcotics, and other criminal conduct. I have also been responsible for serving subpoenas and supervising cooperating sources, as well as analyzing phone records.

3. I make this affidavit in support of the arrest of Jerry BEZIE, aka: “Gizmo,” (“BEZIE”) for violations of:

- a. 18 U.S.C. §§ 922(g)(1) and 924, possession of a firearm and ammunition by a convicted felon;
- b. 18 U.S.C. § 924(c)(1)(A)(i), possession of a firearm in furtherance of a drug trafficking

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crime;

- c. 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), possession with intent to distribute (“PWID”) 400 grams and more of mixture and substance containing fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide); and
- d. 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), PWID 500 grams and more of a mixture and substance containing methamphetamine (collectively the “Target Offenses”).

4. The statements contained in this affidavit are based upon my investigation, training and experience, and information provided by other law enforcement officers or from other reliable sources. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support a criminal complaint against BEZIE.

Criminal History

5. I have reviewed BEZIE’s criminal history and am aware that he has seven (7) prior arrests for assault upon a police officer; trafficking controlled substances (possession with intent)(within school zone); trafficking controlled substances (possession with intent)(within school zone)-conspiracy; contributing to the delinquency of a minor; trafficking controlled substances (distribution)(narcotic or meth)(1st offense) attempt; trafficking controlled substances (distribution)(narcotic or meth)(1st offense); trafficking controlled substances (possess with intent)(narcotic or meth)(1st offense); receiving stolen property (receive)(firearm); criminal damage to property (over \$1,000); trafficking controlled substances (distribution) – attempt (1st offense) 2x; receiving stolen property – dispose (over \$500 but not more than \$2,500); and use or possession of drug paraphernalia.

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6. BEZIE has two (2) prior felony convictions for trafficking controlled substances (distribution) (narcotic or meth) (1st offense) – attempt, on May 14, 2013, in the Bernalillo County District Court, Case No. D-202-CR-2011-01722 and trafficking controlled substances (possess w/ intent) (narcotic or meth) (1st offense), on May 14, 2013, in the Bernalillo County District Court, Case No. D-202-CR-2013-02118.

Probable Cause

7. On March 23, 2023, an FBI Special Weapons and Tactics (“SWAT”) team executed a search warrant at BEZIE’s residence, 1812 Del Norte Drive SW, Albuquerque, NM. The search warrant was authorized on March 16, 2023, by United States Magistrate Judge Karen B. Molzen, Case No. 23MR600. Shortly after 06:00 am, SWAT agents arrived at the residence, knocked and announced their presence and purpose.

8. After a reasonable amount of time, with no response from anyone inside the residence, agents breached the front door. Agents encountered BEZIE’s girlfriend, an adult male, and several juveniles in the living room, at the front of the residence. Agents entered the residence and shortly thereafter, agents encountered BEZIE coming from the hallway, which lead to the master bedroom.

9. In the master bedroom, agents located a loaded pistol with a bag of Xanax pills on top of it and a gold colored money counter next to it, all of the aforementioned items were on the nightstand next to the bed. Also in the master bedroom, agents located blue pills marked M-30, which later field tested positive for fentanyl, in and around the toilet connected to the master bedroom. A backpack full of clear crystal substance, which later field tested positive for methamphetamine, was also located in the master bedroom and was located near a semi-automatic assault rifle. Another pistol was also located in the master bedroom along with a bag of cash.

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10. A large diaper box containing approximately 114,709 blue pills, marked M-30, which later field tested positive for fentanyl, was located in a Hummer H2, registered to BEZIE parked in the driveway of the residence.

11. Agents seized the following items from the residence¹:

- a. Approximately 7.59 Kg/16.72 pounds of clear crystal substance, field tested positive for methamphetamine;
- b. Approximately 25.29 pounds/114,709 blue pills marked M-30, field tested positive for fentanyl;
- c. Approximately \$64,000 cash;
- d. Approximately 146.8 grams of Xanax pills;
- e. Approximately \$45,000 worth of jewelry;
- f. Four pistols, manufactured by Glock, FN, and Sig Sauer;
- g. One-semi automatic assault rifle, manufactured by Steyr;
- h. High capacity magazines;
- i. A gold colored money counter;
- j. Hundreds of rounds of ammunition;
- k. Two ballistic vests;
- l. Hummer H2 vehicle;
- m. Slingshot three wheeled vehicle;
- n. Polaris RZR off road vehicle;
- o. Enclosed trailer;
- p. Dump trailer; and
- q. Seven cell phones.

12. BEZIE was advised his rights per Miranda and agreed to speak with agents without his lawyer present and advised there were approximately 15 pounds of methamphetamine and several firearms in the master bedroom which he identified as his, as well as 100,000 fentanyl pills in the hummer which he also stated belonged to him. BEZIE admitted to attempting to flush fentanyl pills in the toilet connected to the master bedroom before complying with agents, possessing the narcotics listed above, and being a convicted felon. BEZIE also advised agents that he was not allowed to possess firearms.

13. New Mexico State Police officers subsequently arrested BEZIE on state charges

¹ Photographs of items a thru p are attached as Attachment 1, attached hereto and incorporate herein by reference

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relating to the above facts.

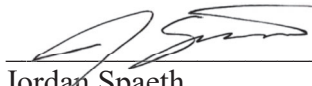
Interstate Nexus

14. On March 23, 2023, I examined the firearms and ammunition listed above. The firearms functioned as designed and the firearms and ammunition meet the federal definition of a firearm and ammunition pursuant to 18 U.S.C. § 921 Chapter 44. Based on my training, research, and experience I am aware that Glock, FN, Sig Sauer, and Steyr firearms are not manufactured in the State of New Mexico and therefore traveled in interstate commerce before they were possessed by BEZIE.

Conclusion

15. Based on the above information, I believe there is probable cause that BEZIE violated the Target Offenses. This affidavit has been reviewed and approved by Assistant United States Attorney Paul Mysliwiec. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,



Jordan Spaeth
Special Agent
Federal Bureau of Investigation

Sworn telephonically and signed electronically on March 24, 2023:



HONORABLE KAREN B. MOLZEN
UNITED STATES MAGISTRATE JUDGE
ALBUQUERQUE, NEW MEXICO

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

Attachment 1:



AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

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AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

Attachment 1:

